

16-3128

UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT

FILED
JUL 18 2016
MICHAEL GANS
CLERK OF COURT

United States of America,
Plaintiff

Clause No. 4; 15-Cr-00324HEA/NAB

Vs.

Hanif Mujahid Ali, In Propria Persona Sui Heredes
Being detained as the Ex Relatone [WALTER W. WALLACE]
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Writ of Mandamus

Come Now, Hanif Mujahid Ali, Natural Person in Propria Persona Sui Juris (not to be confused with or substituted by Pro' se by unauthorized hand of another.) I am Aboriginal Moorish America; Possessing Free holds Inheritance and Primogeniture Status; standing squarely affirmed aligned and bound to The [Z]odiac Constitution with all due respect and honor given to the Constitution for The United States Republic, North America. Being a descendent of Moroccans and born in America, with the blood of the Ancient Moabites from the Land of Moab, who received permission from the Pharaohs of Egypt to settle and inhabit North-West Africa / North Gate. The Moors are the founders and are the true possessors of the present Moroccan Empire; with our Canaanite, Hittite, and Amorite brethren, who sojourned from the land of Canaan, seeking new homes. Our dominion and inhabitation extended from Northeast and Southwest Africa, across the Great Atlantis, even unto the present North, South, and Central America and the Adjoining Islands-bound squarely affirmed to The Treaty of Peace and Friendship of (1787) A.D. superseded by The Treaty of Peace and Friendship A.D. (1836) and reaffirmed in (1987) between Morocco and The United States the same as displayed under [T]reaty Law, Obligation, Authority as expressed in Article VI of the Constitution for The United States of America (Republic);

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Article 20

[I]f any of the citizens of The United States, or any person under their protection, shall have any dispute with each other, the Consul shall decide between the parties; and whenever the Consul shall require any aid, or assistance from the government to enforce his decision it shall be immediately granted to him.

Article 24

[I]f any difference shall arise by either party infringing on any of the Articles of this Treaty, peace and harmony shall remain notwithstanding, in the fullest force, until a friendly application shall be made for an arrangement, and until that application shall be rejected, no appeal shall be made to arms. And if war shall break out between the parties, nine months shall be granted to all subjects of both parties, to dispose of their effects and retire with their property. And it is further declared that whatever indulgence, in trade or otherwise, shall be granted to any of the Christian powers, the citizen of The United States shall be equally entitled to them.

I am Petitioning the Court of Appeals to issue a Writ of Mandamus to instruct Magistrate Judge Nannette A. Baker to enforce Default Judgment that was filed on 1/25/16 see; Doc No. 53 as well as the Writ of Discovery that was submitted on 1/07/16 see; Doc No. 50 this document has not been honored in support of this petition. I stated for the record;

1. A Notice of Proclamation written in the form of an Affidavit of Facts was submitted to the Court On 1/05/16 see; Doc No. 49 which informed the Officers of the Court my position as a Moorish American National. [A]lso I requested for the Courts Delegation of Authority that every Court must have upon request, which grants the Court the [J]udicial Authority per Article 3 Section 1 of the United States Constitution.

On 1/7/16 An Affidavit in Support of Lawful Notice was filed stating that the Courts will be given a total of (10) days to respond to my Writ of Discovery see; Doc No. 53 within the Writ of Discovery a request for a copy of the Judges Oath of Office that is presiding over this matter and I requested that the Court produce a copy of the warrant that was issued to have the Petitioner arrested. That was signed by an Article III Judge. This has not been honored.

2. On 2/15/16 An Affidavit in Support of Notice of Default Judgment was filed informing the Magistrate Judge Nannette A. Baker that the [G]overnment has failed to perform their fiduciary duties in the aforementioned clause see; Doc No. 60
3. On 2/22/16 An Statement of Judicial Notice in Support of Certificate of Dishonor / Default was filed once more informing the Courts that the Plaintiff / Government has failed to perform. Doc No. 66
4. On 2/23/16 A Statement of Judicial Notice in Support of formal request and command for an audit of all securities issued in the above mentioned clause. The Officer of the Court has a fiduciary duty and obligation to produce and provide on proper request such documents. This is in alignment with the [C]lean Hands Doctrine and Good Faith. See; Sarbanes-Oxley Act of 2002, H.R. 3763, 107th Congress Second Session. This is playing a part in the Unlawful incapacitation of the Petitioner. See; Doc No. 68
5. On 2/25/16 A Statement of Judicial Notice in Support of Averment of jurisdiction Quo-Warranto was filed requesting for Magistrate Judge Nannette A. Baker, U.S. District Judge Henry E. Autrey, and Thomas S. Rea #53245 Mo to produce for the record the [P]hysical documented Delegation of Authority as Proof of Jurisdiction as required by Law, Per Article III, Section 1 of The U.S. Constitution. A request for the Officers of Court Public Hazard and Malpractice bonding Company information that every Official must provide upon request. This has not been honored see; Doc No. 70

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6. I stated for the record that I am not the person they have charged with these crimes, but I am Hanif Mujahid Ali, In Propria Persona Sui Juris and not a [C]orporate entity that they have emphasized in all capital letters on the Indictment / bill of exchange. (False Indictment)
7. The AUSA Thomas S. Rea # 53245 Mo has failed to respond to my Writ of Discovery within the stipulated time frame that was given. Also he was failed to answer every single question. Failure to answer one question is a failure to answer all questions. The AUSA Prosecutor is usurping his authority to perform his fiduciary duty. It has now deprived the Petitioner the capability to properly defend against these malicious allegations since the AUSA Prosecutor failed to properly respond to Writ of Discovery a Default Notice should be honor

Facts

All Law is contractual therefore in order for any claim to be made the contract must be produced. For the Magistrate Nannette A. Baker to deliberately disregard the requirement of fairness and due process, constitutes misconduct and is a direct violation of the 5th Amendment which is a secured right to due process of law all person within the United States must be given due process of law and equal protection of the law. The Officers of the Court has circumvented around answering the Writ of Discovery. This is an upfront contradiction and violation of the presiding Judges Oath of Office. [D]enial of Writ of Discovery is in direct violation of the Petitioner Constitutionally secured rights to "Due Process of Law."

Acts in excess of judicial authority constitutes misconduct particularly where a judge deliberately disregards the requirements of fairness and due process. Citing; Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694

Constitutional rights would be of little value if they can be indirectly denied. Citing; Gomillion v. Lightfoot, 364 U.S. 155 (1966) also citing Smith v. Allwright, 321 U.S. 649, 644

[T]he Constitution for The United States of American binds all judicial officers at Article, wherein it does say, This Constitution and laws of the United States which shall be made in pursuance thereof, and all Treaties made, or which shall be made under the authority of The United States shall be the Supreme Law of the land and the Judges of every states shall be bound thereby, anything in the Constitution or laws of any state to the contrary, notwithstanding (see clause 2)

The [u]nconstitutional charges under which the Petitioner is being forced to answer are non-constitutional on their face and unconstitutional when applied to the Petitioner, because they do not have an enacting clause or single subject title there by denying due process of law. [I]t is necessary that every law should show on its face the Authority by which it is adopted and promulgated and that it should clearly appear that it is intended by legislative power that enacts it that it should take effect as law [Cities omitted]

Due Process of law in each particular case means such an exercise of the powers of the government as settle maxims of the law permit and sanction; under such safeguards for the protection of individual's rights as those maxims prescribe for the class of cases to which the one in question belongs. Citing; (Cooley, Const. Lim, 441)

[C]riminal law magistrate have no power of their own and are unable to enforce any ruling. Citing; V.T.C.A., Government Code sec. 54.561 et seq., Davis v. State, 956 S.W. 2d 555 (1997)

Courts in Administrative issues are prohibited from even listening to or hearing arguments, presentation, or rational. Citing; Asis vs. US, 568 F2d 584

[T]he United States District Court is a Court of limited Jurisdiction the federal courts were never designed to hear cases involving any of the people of the fifty states except for eight crimes which the federal court have exclusive jurisdiction over. [T]hose eight crimes is: Treason, Sedition, Espionage, Sabotage, Destroying Federal Reserve Accounting Unit Denominator on the government, Counterfeiting the U.S. Coin and interference with the Mail.

The Courts have the requisite knowledge that federal courts are not courts of general jurisdiction. [Cities omitted]

Ministerial Officers are incompetent to receive grants of judicial power from the legislature their acts in attempting to exercise such powers are necessarily nullities. (Burns v. Supp.Ct, SF 140 Cal)

The Officers of The United States District for Missouri has violated the Due Process Clause and has conspired to deprive the right of the Petitioner and did Neglect to prevent Deprivation of Rights at Title 18 U.S.C. 241 and Title 18 U.S.C. 242

Magistrate Judge Nannette A. Baker and U.S. District Judge Henry E. Autrey is an organ of the court an is aware that 42 U.S.C.1986 requires the person(s) adjudicating legal processes to correct wrongs and that their failure to correct the wrongs constitutes Fraud under Rule 9(b) of the FRCP cross reference to 28 U.S.C. 1746 and that this fraud constitutes Perjury on their Oath of Office at 18 U.S.C. 1621, Deprive us of rights at 18 U.S.C. 241 and 242, Conspire to Deprive Rights at 42 U.S.C.1985; is an extortion of rights at 18 U.S.C. 872 and is actionable under 42 U.S.C. Committing Scienter Acts (Omitting knowledge) in "Bad Faith," "Willful," and "Wanton," Malice and forethought.

Magistrate Judge Nannette A. Baker is in full life aware that government did not make a timely objection nor requested for additional time Intel the (10) days was expired that was documented in Writ of Discovery.

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Effectively the Government should have been barred from contesting the Writ of Discovery under the doctrine or maxim of Collateral Estoppel 5 USC subsection 706.

Nature of Relief Sought

This action seeks the Court of Appeals to issue a Writ of Mandamus compelling Judge Nannette A. Baker to honor the Default of Judgment.

As the Writ in the Nature of Discovery was not honored the Notice of Default Judgment must be honored and all claims, complaints, and charges toward the European Cognomen and Fictitious Misnomer WALTER WILFORD WALLACE should be dismissed.

A Magistrate Nannette A. Baker should be found guilty of Perjury for violating her Oath of Office and attempting to violate Article 1, section 10 "The impairment of contracts and the D.C. codes. For this in excusable act Immediate Recusal of Office should be commenced / considered.

I, Hanif Mujahid Ali, in full life Propria Persona Sui Juris should be released immediately.

I Am: *Hanif Mujahid Ali*

Authorized Representative in behalf of Dummy Corporation / Ex Realtione
WALTER WILFORD WALLACE, All Rights Reserved U.C.C. 1-207 / 1-308/ 1-103



THE MOORISH DIVINE AND NATIONAL MOVEMENT OF THE WORLD

Aboriginal and Indigenous Natural Peoples of North West Amexem North America

Certificate of Service

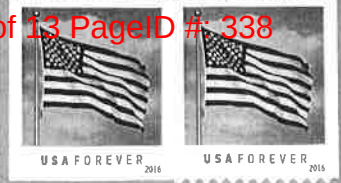
**United States Court of Appeals For The Eighth Circuit
Office of the Clerk**

It is hereby Certified that service of the foregoing, Writ of Mandamus has been made upon the following addressee by depositing a copy in the United States Republic mail, postage prepaid this 30th day of June, 1436 M.C. (2016 C.C.Y.)

**I Am; Hanif Mujahid Ali, Authorized Representative
in behalf of the Dummy Corporation / Ex Relatione
WALTER WILFORD WALLACE , All Rights Reserved
U.C.C. 1-207/ 1-103/ U.C.C 1-308**

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JUL 11 2016
U.S. COURT OF APPEALS
EIGHTH CIRCUIT

Mr. Walter Wallace
#65 Business Park Dr
Troy, Mo 63379



To: United States Court of Appeals
For The Eighth Circuit
Office of The Clerk
St. Louis, Mo 63102

Legal Mail

To Be Open By
Addressee Only!

United States Court of Appeals
For The Eighth Circuit
Thomas F. Eagleton U.S. Courthouse
111 South 10th Street, Room 24.329
St. Louis, Missouri 63102

Michael E. Gans
Clerk of Court

VOICE (314) 244-2400
FAX (314) 244-2780
www.ca8.uscourts.gov

July 18, 2016

Mr. Walter Wallace Jr.
LINCOLN COUNTY JAIL
38586-044
65 Business Park Drive
Troy, MO 63379-1102

RE: 16-3128 In Re: Walter Wallace, Jr.

Dear Mr. Wallace:

We have assigned your petition for a writ the case number shown above. Your case will be referred to a panel of judges for review. We will promptly advise you of the Court's ruling.

Please note that service by pro se parties is governed by Eighth Circuit Rule 25B. A copy of the rule and additional information is attached to the pro se party's copy of this notice.

Michael E. Gans
Clerk of Court

DMW

Enclosure(s)

cc: Mr. Gregory J. Linhares

District Court/Agency Case Number(s): 4:15-cr-00324-HEA-1

Caption For Case Number: 16-3128

In re: Walter Wallace, Jr., also known as Little Walt

Petitioner

Addresses For Case Participants: 16-3128

Mr. Walter Wallace Jr.
LINCOLN COUNTY JAIL
38586-044
65 Business Park Drive
Troy, MO 63379-1102

Mr. Gregory J. Linhares
U.S. DISTRICT COURT
Eastern District of Missouri
111 S. Tenth Street
Saint Louis, MO 63102-0000

16-3128 In Re: Walter Wallace, Jr.

Eighth Circuit Court of Appeals

PRO SE Notice of Docket Activity

The following was filed on 07/18/2016

Case Name: In Re: Walter Wallace, Jr.

Case Number: 16-3128

Docket Text:

PETITION for Writ of Mandamus (Rec'd by MAIL) filed by Petitioner Mr. Walter Wallace, Jr. w/service by USCA8 on 07/18/2016 [4427256] [16-3128]

The following document(s) are associated with this transaction:

Document Description: Petition for Writ of Mandamus

Notice will be mailed to:

Mr. Walter Wallace Jr.
LINCOLN COUNTY JAIL
38586-044
65 Business Park Drive
Troy, MO 63379-1102

Notice will be electronically mailed to:

Mr. Gregory J. Linhares: Lori_Miller-Taylor@moed.uscourts.gov,
beth_kirkland@moed.uscourts.gov,michele_crayton@moed.uscourts.gov,jason_dockery@moed.uscourts.gov,mavis_gaines@moed.uscourts.gov